Hausa — Towards Better Sharing of Cultural Heritage — A call to action to policymakers
Translation by Faisal Ali

The original English version is the authoritative version on which this unofficial translation is based.

[Towards Better Sharing of Cultural Heritage — A Call to Action to Policymakers](#)

DOMIN INGANTACCEN RABON GADON AL'ADA KIRA ZUWA GA YAN SIYASA.

Jagoran Manufofin Creative Commons

“Shin za ku iya ba da izinin ... jama'a a hana su wani abu mai amfani da daraja?... Lokacin da aka yi wannan asarar, ba za a sami namiji a duniya ba... wanda zai iya gyara shi.” Gabriel Naudé (1600-1653) Ma'aikacin Laburaren Faransa da Masanin Ilimi

Gabatarwa

Kiyaye, samun dama, rabawa, amfani, da sake amfani da abubuwan al'adun gargajiya sune muhimman sinadirai na al'ummomin ci gaba da juriya kuma ana nuna su masu ba da gudummawa ga ci gaba mai dorewa. Amma rashin isassun, babu, ko bayyana manufofin jama'a— musamman haƙƙin mallaka da dokoki masu alaƙa — sau da yawa suna tayar da shinge mara amfani a kusa da abubuwan al'adu. A Creative Commons (CC), mun san wannan tun lokacin da muka fara ƙaddamar da lasisin haƙƙin mallaka sama da shekaru 20 da suka gabata don haɓaka raba abubuwan ƙirƙira iri-iri. A zahiri, an ƙirƙiri kayan aikin shari'a na CC musamman don ɗaga waɗannan shingen manufofin, kuma yawancin cibiyoyin al'adun gargajiya (CHIs) sun sami nasarar amfani da su don sakin hotuna na dijital kusan miliyan biyar. Misali, a cikin ’yan shekarun da suka gabata kadai, gidajen tarihi irin su Paris Museumes a Faransa, da Smithsonian Institute, Metropolitan Museum of Art, da Cleveland Museum of Art a Amurka, Auckland Museum a New Zealand, da Egyptian Museum of Turin a Italiya, duk sun fitar da abun ciki ta amfani da kayan aikin CC ko lasisi. Dakunan karatu irin su National and University Library of Slovenia da National Central Library of Rome, Italiya, sun kuma sanya tarin su a ƙarƙashin kayan aikin CC. A gaban wuraren adana kayan tarihi, misalan sun haɗa da Archivo Histórico de la Provincia de Buenos Aires a Argentina, Queensland State Archive a Australia, Centro de Fotografia de Montevideo a Uruguay, da Archivio fotografico Ricordi a Italiya. Yayin da kayan aikin shari'a na CC ke haɓaka rabawa na duniya, ba a tsara su don zama magani ga duk matsalolin raba al'adun gargajiya ta hanyar dijital ba. Su ne mafi sauki hanyar masu kirkirar kirkira da dama don ficewa cikin tsarin raba-rubucen raba, amma ba su kafa tsarin raba wani abu da kowa ba. Hanyoyi kamar haɓaka "yankin jama'a na son rai" ta hanyar daidaitattun ƙa'idodin kamar CC jama'a keɓewa (CC0) suna tafiya mai

nisa, amma ba za su taɓa samun cikakken musanyawa ga dokokin da suka dace ba da kuma ainihin yanki na jama'a na abun ciki kyauta da doka za ta iya amfani da su. Don haka, mutane da yawa har yanzu suna fuskantar ƙalubale masu girma a cikin yanayin dijital don samun dama, rabawa, da (sake) yin amfani da abubuwan da aka gudanar a cikin CHIs, duk da haɓaka amfani da kayan aikin doka na CC azaman ƙa'idodin duniya don rabawa. Don haka ana buƙatar sake fasalin manufofin don cike duk wani giɓi da buɗaɗɗen lasisi "patch" ya bari zuwa matsala ta duniya, mai yawa. Ana buƙatar don cimma ingantacciyar raba abubuwan al'adun gargajiya a duniya, watau: • Rarraba wanda ya hada da, adalci da daidaito — inda kowa da kowa ke da faffadan zarafi don samun damar abun ciki, ba da gudummawar nasu ƙirƙira, da karɓar karramawa da lada don gudummawar da suka bayar. • Rabawa wanda yake daidai da juna — inda muke sake daidaita duniyar da muke rayuwa a cikinta a halin yanzu, wanda ƴan kaɗan ke samarwa kuma suke cin riba daga ayyukan da mutane da yawa ke cinyewa. • Rabawa mai dorewa — inda bude baki a cikin jama'a shine tsoho, maimakon banda. Don magance wannan buƙatar, wannan Kira zuwa aiki yana ba da cikakkiyar ganewar ƙalubalen kuma yana ba da shawarwari masu dacewa, masu dacewa don kawo sauyi mai kyau na siyasa, ta yadda za mu iya yin amfani da ikon canza canji na mafi kyawun raba abubuwan al'adun gargajiya don amfanin cibiyoyi, daidaikun mutane, al'umma, da kuma al'umma gaba daya. Ina so in nuna godiyata ga duk wanda ya ba da gudummawa ga wannan muhimmin albarkatu. Don ilimin ku, gwaninta, sha'awar ku da sadaukarwa don ingantaccen rabawa, na gode.

Catherine Stihler, Shugaba, Creative Commons Disamba 2022

TAKAITAWAR ZARTARWA Fiye da shekaru ashirin, Creative Commons (CC) yana aiki a fagen al'adu, yana haɓaka buɗaɗɗen musayar bayanai, ra'ayoyi, da kayan tarihi don gina mafi daidaito, samun dama, da sabuwar duniya. Jagorar da hangen nesa namu don cimma ingantacciyar rabawa na al'adun gargajiya, CC tana tuƙi gyare-gyaren manufofin a kan sikelin duniya. Ta hanyar gabatar da takamaiman ayyuka guda biyar, manufarmu ita ce mu tallafa wa masu tsara manufofi a duniya wajen gyara manufofin — musamman dokokin haƙƙin mallaka — a ciki da kuma fadin yankunansu don cimma ingantacciyar rabon gadon al'adu don amfanin jama'a. Waɗannan ayyuka suna ba da tushe don hangen nesa ɗaya akan ingantacciyar rabawa, suna jaddada cewa kowace tsarin manufofin ana nufin hidimar masu ruwa da tsaki da yawa ta hanya madaidaiciya: daga masu kirkiro zuwa (sake) masu amfani da kayan tarihi na al'adu har zuwa Cibiyoyin Al'adun Al'adu, da sauran 'yan wasan kwaikwayo. Masu tsara manufofin yakamata:

Kare Domain Jama'a daga Zartarwa • Ɗauki ƙaƙƙarfan tsari wanda babu shakka yana faɗin cewa amintaccen sakewa na kayan jama'a ba dole ba ne ya kasance cikin ƙuntatawa na fasaha, kuɗi, doka ko kwangila. • Bayar da hanyar da za a ƙalubalanci da'awar haƙƙin mallaka ko hamayya da matsayin abu kamar yadda ya dace a cikin jama'a.

Rage Wa'adin Kariyar Haƙƙin mallaka • Rage wa'adin kariya. • Ba da kariya ta dogara da rajista (ko wasu ƙa'idodi). • Yi tsayayya da shawarwari don tsawaita sharuɗɗan haƙƙin mallaka fiye da yadda suke a halin yanzu. • Yi sauƙi kamar yadda zai yiwu don ƙayyade ayyuka a matsayin marayu.

Garkuwa Cibiyoyin Tarihi na Al'adu daga Alhaki • Cire alhaki ga cibiyoyin al'adun gargajiya da ke aiki da gaskiya. • Inda ba za a iya cire abin alhaki ba, iyakance takunkumi da magunguna ga cibiyoyin al'adun gargajiya. • Ƙirƙirar tashar jiragen ruwa mai aminci don ba da damar cibiyoyin al'adun gargajiya su aiwatar da ayyukansu bisa doka, gami da samar da tarin tarukan kan layi ga masu amfani da su, da ƙarfafa su da su bi sanarwa da sauke hanyoyin idan an samu da'awar cin zarafi da masu hakki suka kawo.

Halatta Halatta Ayyukan Mahimmanci na Cibiyoyin Tarihi na Al'adu • Ba da damar cibiyoyin kayan tarihi na al'adu su sake haifuwa da samar da gatan da aka kare hakkin mallaka don amfani da sake amfani da jama'a don dalilai na kasuwanci. • Ba da izinin duk ayyukan da suka wajaba waɗanda ke ba masu amfani damar yin amfani da kayan gado don abubuwan da ba na kasuwanci ba kuma su yi amfani da gado don shiga cikin maganganun jama'a.

Tabbatar da Girmamawa, Daidaito, Bambance-bambance da Haɗuwa • yi la'akari, ban da matsayin yanki na jama'a na al'ada, ƙarin hani na doka, ɗabi'a ko na kwangila wanda zai iya sarrafa yanayin samun dama, amfani da sake amfani; • yarda cewa iyawa da sake amfani da ƙuntatawa na iya zama barata saboda dalilai na ɗabi'a; • shiga da haɗin gwiwa tare da al'ummomin tushen don ƙayyade tsarin ƙididdigewa da samar da tarin; kuma • sadarwa a sarari da ilmantar da masu amfani da su game da sharuɗɗan amfani da sake amfani da su, da duk wani yanayi da aka kafa don yin rabawa cikin daidaito.

GAME DA WANNAN JAGORAN

Asalin Sama da shekaru ashirin, Creative Commons (CC) ya kasance yana aiki a fagen al'adu, yana haɓaka buɗaɗɗen musayar bayanai, ra'ayoyi, da kayan tarihi don gina mafi daidaito, samun dama, da sabuwar duniya. Gadon CC yana haɓaka shirye-shiryen al'adun mu na buɗe2 kuma yana ba da ƙwaƙƙwaran ƙoƙarce-ƙoƙarce ga ƙoƙarinmu na yanzu don haɓaka ingantacciyar rabawa ga al'adun gargajiya. A cikin Afrilu 2022, mun fitar da takardar manufar mai taken "Zuwa Ingantacciyar Raba Al'adun Al'adu — Agenda don Gyara Haƙƙin mallaka,"3 wanda membobin Creative Commons Copyright Platform4 da abokan CC suka haɓaka daga ko'ina cikin duniya. Takardar ta yi bayani kan mahimman batutuwan manufofin manyan matakai don tallafawa ingantacciyar rabawa, tare da mai da hankali kan al'adun gargajiyar da aka gudanar a cibiyoyin al'adun gargajiya (CHIs), irin su ɗakunan karatu, ɗakunan karatu, wuraren adana kayan tarihi da gidajen tarihi (GLAMs). Duk da yake takardar bayani ce da aka yi bikin, ba a nufin yin aiki a matsayin hanya mai sauƙi, taƙaitacciya, mai sauƙi. Na ƙarshe shine manufar jagorar yanzu.

Manufa da Masu sauraro Wannan daftarin aiki na nufin tallafa wa masu tsara manufofi don sake fasalin manufofin — musamman dokokin haƙƙin mallaka — a ciki da kuma a cikin yankunansu don cimma ingantacciyar rabon gadon al'adu don amfanin jama'a. Yana ba da tushe don hangen nesa ɗaya akan mafi kyawun rabawa, yana mai jaddada cewa kowane tsarin manufofin yana nufin hidimar masu ruwa da tsaki da yawa ta hanyar daidaitawa: daga masu ƙirƙira zuwa (sake) masu amfani da al'adun gargajiya har zuwa CHIs, a tsakanin sauran 'yan wasan kwaikwayo. An yi nufin wannan jagorar ga masu tsara manufofi a duniya: mutanen da ke aiki a ma'aikatun gwamnati, ma'aikatu, majalisa, ko wasu

hukumomin jama'a, kuma waɗanda ke da alhakin tsarawa da yanke shawara game da manufofin jama'a ko dokoki (misali, dokoki, dokoki, da dai sauransu) a matakan ƙasa, yanki, ko na duniya. Hakanan yana iya zama mai ban sha'awa ga ƙwararru da masu aiki waɗanda ke aiki a cikin saitunan hukumomi a cikin al'adun gargajiya ko wasu sassa, musamman sassan kere-kere, ilimi ko bincike, da kuma duk wanda ke sha'awar kawo canji mai kyau don samun dama, rabawa, amfani da sake amfani da al'adu. gadon jama'a.

GAGGAUTA BUKATAR GANE BUDADE AL'ADA GA KOWA

Wadanne kalubale al'adun gargajiya ke fuskanta? Canjin yanayi, rikicin lafiya, rikice-rikicen makami… da haƙƙin mallaka? A kodayaushe duniya ta san rikice-rikice, rikice-rikice, da manyan barazana ga wanzuwarta, kuma masu aiwatar da manufofin sun yi gaggawar daukar matakai don kare rayuka da dukiyoyin wadanda ke cikin wahala. Ɗaya daga cikin rikicin da sau da yawa ba a manta da shi ba, ko da yake ba shi da mahimmanci, shine asarar al'adun gargajiya da ba za a iya warwarewa ba - tarihin gida, zane-zane da kayan tarihi, da ilimin yanki, wanda sau da yawa yana da alaƙa mai zurfi da ainihin mutane kuma ba za a iya samun damar shiga da kuma raba su cikin sauƙi ba. balle a maye gurbinsu. A cikin 'yan shekarun da suka gabata kadai, duniya tana fuskantar kalubale masu yawa.

Rikicin lafiya, kamar cutar ta COVID-19, na iya yin tasiri sosai ga ɓangaren al'adun gargajiya. Misali, an tilasta wa dakunan karatu da yawa rufe kofofinsu yayin kulle-kulle kuma sun fuskanci shinge don ci gaba da ba da damar yin amfani da kayayyaki da ayyuka ga masu amfani da su a cikin yanayin dijital, kamar ba da lamuni na dijital da ba da labari kan layi. 5

Rikicin bil adama da na makamai, irinsu yake-yaken da ake yi a kasar Ukraine da kuma wasu sassan Gabas ta Tsakiya da Afirka, a takaice, ya zama wajibi a yi kokarin kiyaye al'adun gargajiya da suka dade a tsawon shekaru aru-aru kafin a yi hasarar su har abada, kamar a kokarin da ake yi na digitization da sake ginawa. Ana ci gaba da gudanar da shi a kasar Siriya bayan ruguza tsohon birnin Palmyra. 6

Haɓaka matakan teku saboda sauyin yanayi yana barazana ga abubuwa, shafuka, abubuwan tarihi, biranen gabaɗaya har ma da dukan ƙasashe. 7 Mun ga cewa gobarar daji - ko ta hanyar sauyin yanayi, rashin kulawar ɗan adam, ko rikice-rikice - sun yi mummunar illa ga wuraren tarihi da cibiyoyin al'adu a cikin 'yan shekarun nan, a wurare kamar Brazil, 8 Afirka ta Kudu, 9 da Easter Island (Chile), 10 tsakanin wasu. 11

GAGGAUTA BUKATAR GANE BUDADE AL'ADA GA KOWA

Yana da wuya a iya adanawa, samun dama da raba gadon al'adu yayin fuskantar yaƙe-yaƙe, yunwa, da bala'o'i. Haɗaɗɗen ƙalubalen da ba a san shi ba shine dokar haƙƙin mallaka. Dokokin haƙƙin mallaka waɗanda ba su ba da izinin cikakken amfani da yanki na jama'a ba, waɗanda ba sa ba da izinin keɓancewa da iyakancewa ga ilimi 12 da sauran halaltattun amfani, kuma hakan ba ya barin cibiyoyi su yi amfani da fasahar zamani don ƙididdige su, ya zama da wahala ga mutane su sami dama da jin daɗin abubuwan al'adun gargajiya da cibiyoyin al'adun gargajiya 13 (CHIs) don cika mahimman ayyukansu. Wannan gaskiya ne musamman a cikin yanayin dijital, inda tare da zuwan intanet,

tsammanin jama'a sun canza sosai game da samun damar bayanai, ilimi, da al'adun da aka gudanar a cikin CHIs. Abubuwan da ke da alaƙa irin su ƙayyadaddun albarkatu suna taka rawa, amma tsarin manufofin sau da yawa suna da laifi: rashin iya ci gaba da ci gaban fasaha, a zamanin yau har yanzu bai dace da shekarun dijital ba, tare da mummunan tasiri a kan manufa daya don ƙara yawan ilimin duniya, haɓaka haɓaka ilimin haɗin gwiwa, da haɓaka shiga cikin ƙirƙira al'adu. Dokokin haƙƙin mallaka da ba su dace ba sun jefa tsarin al'adunmu na duniya gaba ɗaya cikin haɗari. Dole ne wannan ya canza. Ƙungiyoyi kamar Open Knowledge da Creative Commons (CC) sun gina daidaitattun kayan aiki don sauƙaƙa wa mutane da cibiyoyi iri ɗaya don saita abun ciki a matsayin kyauta gwargwadon yiwuwa. Waɗancan kayan aikin su ne haƙƙoƙin haƙƙin da ake nufi don sanya abun ciki a cikin abin da wani lokaci ake kira matsayin "yankin jama'a na son rai". Amma wannan hanyar tana da fayyace iyakoki, mafi shaharar ita ce hukunce-hukuncen da cikakken haƙƙin mallaka ba zai yiwu ba a ƙarƙashin dokar haƙƙin mallaka ta ƙasa. Don har yanzu suna da tasiri ga/a cikin irin waɗannan hukunce-hukuncen, kayan aikin ƙetare na ƙunshe da lasisin faɗuwa mara ƙayyadaddun sharadi, ikirarin rashin tilastawa, da ƙari. Yawancin al'amuran da irin wannan hadaddun gine-gine na iya gazawa, dokar kwangila ta gaba ɗaya tana ba da mafi bayyane, ta bayyana a fili cewa daidaitattun kayan aikin na iya zama faci ne kawai, ba gyara ga matsalolin tsarin haƙƙin mallaka ba.14

Menene gadon al'adu kuma menene ma'anar "ji dadin" shi? "Al'adun gargajiya, a mafi girman ma'anarsa, samfuri ne da kuma tsari, wanda ke ba wa al'umma albarkatu masu tarin yawa waɗanda aka gada daga baya, an ƙirƙira su a halin yanzu kuma ana ba da su don amfanin al'umma masu zuwa." 15 – Shiga UNESCO a cikin rayuwar al'adu haƙƙin ɗan adam ne, kuma samun dama da jin daɗin abubuwan al'adun gargajiya sune abubuwan da suka dace don shiga cikin rayuwar al'adu. 16 Samun dama da raba gadon al'adu wani hakki ne na duniya kuma dole ne a kiyaye shi.

Dokokin haƙƙin mallaka da ba su dace ba sun jefa tsarin al'adunmu na duniya gaba ɗaya cikin haɗari. Dole ne wannan ya canza.

GAGGAUTA BUKATAR GANE BUDADE AL'ADA GA KOWA

Me yasa yake da mahimmanci a ci gaba da samun dama da kuma raba abubuwan al'adun gargajiya? Abubuwan al'adu suna taka muhimmiyar rawa a cikin al'ummominmu. Samun damar shiga, nazari, da sake amfani da gado, da kuma bayanai masu alaƙa da ilimi, yana ba mu damar koyo daga kura-kuranmu da gina kan ƙirƙirar kakanninmu. Samun kayan tarihi na al'adu yana da mahimmanci ga al'ummomi su gina kan abubuwan da suka koya daga abubuwan da suka gabata don samun maƙasudin makomarsu. Wannan ya zama mafi mahimmanci yayin da ake ƙara samun dama ga gado a kan layi, inda dama don rabawa da haɗin gwiwa suna da yawa, amma dokoki, suna ƙuntatawa. Lokacin da mutane suka fuskanci irin waɗannan ƙalubale don samun damar gadon su, ta yaya za su fahimci halin da suke ciki kuma su gina makomarsu ta dindindin? Ta yaya za su koyi daga kurakuran tarihi, shiga cikin zagayowar ƙirƙira, kuma su more ainihin haƙƙinsu na samun al'adu? Idan muna son gina makoma mai ɗorewa ga kowa, muna buƙatar buɗe yuwuwar shekarun dijital don amfanin CHIs da masu amfani da su, da buɗe al'adun gargajiya don 'yantar da shi daga ƙuntatawa mara kyau.

Menene SDGs kuma yaya suke da alaƙa da buɗe al'ada? A matsayin Majalisar Dinkin Duniya Manufofin Ci Gaba mai Dorewa (SDGs) 17 da kuma Modiacult 2022 Sanarwa don Al'adu18 ya jaddada, al'ada shine amfanin jama'a na duniya. Kayayyakin jama'a ana nufin su zama 'yanci don rabawa kowa ya ji daɗinsa, a ko'ina. A cikin kalmomin UNESCO, "al'ada ita ce gada tsakanin mutane da ƙasashe… kuma mabuɗin buɗe fahimtar juna da ƙarfafa ayyukan duniya da suka danganci 'yancin ɗan adam da mutunta bambancin." 19 Al'adu yana ƙulla dukkanin 17 na SDGs - musamman maƙasudin da suka dace sun haɗa da Manufofin 16.1020 kan samun damar jama'a don samun bayanai da 'yancin kai, da 11.421 kan kariya da kiyaye abubuwan al'adu. Ana yin kiraye-kirayen a mai da al'adu wani buri na ci gaba mai dorewa a kanta, kuma CHIs an san su ne wakilan ci gaba mai dorewa wanda zai iya taimakawa wajen cimma wadannan manufofin.

Lokacin da mutane suka fuskanci irin waɗannan ƙalubalen don samun damar samun gadon su na baya, ta yaya za su fahimci halin da suke ciki kuma su gina makomarsu mai dorewa?

GAGGAUTA BUKATAR GANE BUDADE AL'ADA GA KOWA

Menene fa'idodin mafi kyawun raba abubuwan al'adun gargajiya? Rarraba abubuwan tarihi na al'adu ba wai kawai yana da mahimmanci don magance manyan matsalolin duniya da samun ci gaba mai dorewa ba.22 hakanan hanya ce mai kyau don haɓakawa da haɓaka rayuwar al'adunmu da yin tarin abubuwan da suka dace a cikin zamani na dijital, musamman akan manyan dandamali na rabawa. Misali, a cikin 2018, Metropolitan Museum of Art ya ga karuwar gani 385% akan Wikipedia, wanda ya kai mutane miliyan 10 a kowane wata godiya ga manufar samun damar shiga. 23 A cikin 2021, Wellcome Collection a Burtaniya ya sanar da hotunansa sun wuce ra'ayoyi biliyan 1.5 akan Wikipedia.24

Bude Al'adu na iya taimakawa CHIs da ƙungiyoyin jama'a: • ba da damar samun dama ga abubuwan al'adun gargajiya na duniya, gwargwadon iko kuma cikin adalci, • baiwa masu ƙirƙira da masu fasaha damar gano, raba, da sake haɗa kayan gadon al'adu, • tallafawa kerawa na zamani a cikin sararin dijital, • yi aiki a matsayin injiniya don ci gaban al'adu da zamantakewa mai dorewa, ta hanyar biyan kuɗi na gaskiya da buɗe ido, samfura masu ɗorewa na kuɗi, • ya zama mai taimakawa wajen yadawa da farfado da al'adu, • sauƙaƙe adana ƙwaƙwalwar ajiyar duniya, • inganta tattaunawa da fahimtar al'adu tsakanin al'adu, • ingantacciyar tasiri ga al'adun zamani da ƙirƙira a ciki da wajen mahallin hukumomi, • ƙirƙira, ɗauka da aiwatar da manufofin buɗaɗɗen al'adu waɗanda ke tallafawa duk waɗannan manufofin. Musamman ma, bikin al'adun gargajiya ta hanyar ingantacciyar rabawa na iya rage shinge ga gina ilimin haɗin gwiwa, taimakawa haɓaka fahimtar al'adu, da baiwa kowa damar shiga cikin ingantaccen tsarin kerawa.25

Me zai faru idan ba mu ɗauki mataki ba? Idan ba mu yi aiki don sake fasalin tsarin manufofin ba, muna haɗarin gaba ɗaya: • ɓata cibiyoyi' ayyukan sha'awar jama'a a cikin yanayin dijital, • gane rashin samun koma baya kan zuba jari ta yadda CHIs ke samun tallafin jama'a, • yana ta'azzara rashin daidaito ta hanyar rage yunƙurin samar da ilimi da al'adu na duniya baki ɗaya. • sassaƙa baƙar rami26 a cikin al'adun dijital na duniya, • haifar da katsewa tsakanin ikon mallakar bayanai, samun damar

bayanai, da al'adun gargajiya; • nesantar jama'a daga tarihinsu, • ba da gudummawa ga al'ummomi' gajarta ƙwaƙwalwar ajiya da lokacin kulawa, • mafi munin tarihin mu yana maimaita kansa., • mutane kaɗan ne ke shiga tattaunawa ta al'adu, don haka suna barin damar ƙirƙirar wuraren koyo da haɓaka ilimi, • barin samun dama da rabawa a hannun keɓantaccen hannun masu zaman kansu, masu son cin riba, rage bambance-bambancen abubuwan da ke akwai da kuma sa kayan gadonmu su zama masu rauni ga son zuciyar masu hannu da shuni.

Lokacin yin aiki shine yanzu.

HANYOYI GUDA BIYAR DOMIN CI GABA BUDADE AL'ADU DA INGANTACCEN RABON GADO

Don samun ingantacciyar rabawa, cibiyoyin al'adun gargajiya (CHIs) suna buƙatar samun damar shiga cikin yardar kaina, girbi, ƙididdigewa, rarrabawa da kuma samar da abubuwan al'adun gargajiya ga mutanen da suke hidima a cikin cibiyoyinsu da kuma kan intanet. Wannan wani bangare ne na aikinsu na maslahar jama'a. Tabbas, bai isa ba ga CHIs don adanawa da kuma samar da kayan tarihi, idan mutane ba za su iya amfani da su don nazarin sirri ba, fasikanci, bincike ko zargi, da sauran ayyukan da ke ba da damar yin amfani da haƙƙoƙin asali. Don haka CHIs dole ne su sami ƙarin ƙarfi don baiwa kowane memba na jama'a damar morewa marar iyaka, faffadar dama da ikon rabawa da (sake) amfani da al'adun gargajiya gwargwadon yiwuwa. Don haka, buƙatu don fayyace manufofin tallafi game da gadon ya miƙe ga masu amfani da duk tsarin mahalli na rabon gado. Don cim ma waɗannan manufofin, dokokin haƙƙin mallaka, ƙa'idodin zamantakewa, da ayyuka da ɗabi'a (waɗanda duk suna iya zama wani ɓangare na ko alaƙa da "tsarin siyasa") suna buƙatar canzawa, yawancin waɗanda masu tsara manufofi za su iya tasiri kai tsaye.

Menene muke nufi da "tsarin siyasa" da "dokoki"? A cikin wannan daftarin aiki, tsarin manufofin shine saitin dokoki waɗanda ke tafiyar da cibiyoyi da damar mutane da amfani da abubuwan al'adun gargajiya gaba ɗaya — na gida, na ƙasa, yanki ko na duniya. Don samun mafita na gama-gari, mai dorewa, ana buƙatar la'akari da fannonin manufofin da yawa, waɗanda suka haɗa da: haƙƙin mallaka da haƙƙoƙin da ke da alaƙa, kariyar bayanai, sirri, ilimin gargajiya, ɗa'a, haƙƙin al'adu, al'adun gargajiya, bayanan jama'a, da sauransu. Domin haƙƙin mallaka yana da ginshiƙai ga yadda ake samar da al'adun gargajiya, rabawa da kuma amfani da su, wuri ne mai kyau don fara haifar da canji mai kyau zuwa mafi kyawun rabawa.

Anan akwai takamaiman ayyuka guda biyar don cimma wannan canji mai mahimmanci: 1. Kare yankunan jama'a daga zage-zage 2. Rage wa'adin kare haƙƙin mallaka 3. Ba da izinin ayyukan da suka dace na cibiyoyin al'adun gargajiya 4. Kare cibiyoyin al'adun gargajiya daga abin alhaki 5. Tabbatar da mutuntawa, daidaito, bambanta da haɗin kai

MATAKI NA 1: KARE YANKIN JAMA'A DAGA WUTA

Matsala: Barazana na Waje na Rusa Ƙimar Jama'a da Ƙarfafa shingaye kewaye da Abubuwan da ba na asali ba na Kayayyakin Domain Jama'a Na zamani na kayan aikin jama'a — waɗanda duk na cikin jama'a — ana kulle su a bayan shinge da iyakancewa da yawa, ta haka ne ke lalata jama'a. yankin.

Zaizayar kasa tana faruwa saboda barazana iri-iri. Fasaha: cibiyoyi, dandamali ko software suna amfani da sarrafa haƙƙin dijital (DRM), kamar alamar ruwa, akan abubuwa na dijital;27 Kudi: cibiya tana cajin kuɗaɗe don zazzage hotuna ko tarin abubuwa kawai a bayan bangon biyan kuɗi; Shari'a: • Dokar haƙƙin mallaka - cibiya ta yi iƙirarin haƙƙin mallaka na biyu akan haƙƙin mallaka na dijital wanda ba na asali ba; 28 • Dokar gadon al'adu — A wasu ƙasashe (misali Faransa, Italiya, Bulgaria, Girka, da sauransu), kwafin dijital na ayyukan jama'a da aka gudanar a cibiyoyi ba za a iya sake amfani da su kyauta don dalilai na kasuwanci ba bisa ka'idar kariyar al'adun gargajiya; • Dokar alamar kasuwanci — cibiyar tana amfani da kariyar alamar kasuwanci akan al'adun jama'a don hana sake amfani da kyauta (ko ƙoƙarin yin hakan); 29 Kwangila: cibiyar tana amfani da hani na kwangila don iyakance sake amfani da sharuɗɗan sabis.

Gaskiya ne! → Gidan kayan tarihi na Biritaniya yana cajin kuɗin £179 don zazzage wani zanen zanen jama'a na ɗan wasan ƙarni na 19 Hawing Hogarth. 30 → A cikin 2019, Gidan Tarihi na Neues a Berlin ya fitar da hoton 3D na bust Nefertiti mai shekaru 3000 daga tsohuwar Masar wanda aka nuna a gidan kayan gargajiya a ƙarƙashin lasisin CC BY-NCSA.31 → A cikin 2022, Gidan Tarihi na Uffizi da ke Florence ya ɗauki matakin shari'a a kan mai zanen Faransa Jean Paul Gaultier saboda amfani da shafin jama'a na zanen Haihuwar Venus na ɗan wasan Renaissance Boticelli.32 → Sharuɗɗan sabis na Gidan Tarihi na Van Gogh sun taƙaita sake amfani da ayyukan jama'a na mawaƙin Dutch zuwa lokuta marasa kasuwanci kawai.33 → A cikin 2016, National Institute of Fryderyk Chopin ta ba da wata doka da ke kare sunansa da martabar jama'a kuma ta shigar da aikace-aikacen yin rajistar alamun kasuwanci guda biyu don kalmar "Chopin."34

NASARA

Dole ne doka ta kiyaye yankin jama'a musamman kuma a sarari. Duk da yake sanin cewa akwai la'akari na al'ada ko ɗabi'a na lokaci-lokaci yayin rabawa da sake amfani da ayyukan jama'a (duba Aiki na 5), dole ne doka ta bayyana a sarari cewa za a iya sake amfani da kayan jama'a ta hanyar doka kyauta, gami da dalilai na kasuwanci. Kwafi na dijital na ayyukan jama'a yakamata kowa ya sake yin amfani da shi kyauta don kowace manufa, kuma kada a iyakance ta aikace-aikacen wasu dokoki, kwangila ko shingen kuɗi ko fasaha. Ya kamata masu tsara manufofi: • Ɗauki ƙaƙƙarfan ƙaƙƙarfan tsari wanda babu shakka yana faɗin cewa amintaccen haifuwa na kayan jama'a ba dole ba ne a cika shi da ƙuntatawa na fasaha, kuɗi, doka ko kwangila. • Ƙaddara cewa babu wani haƙƙin mallaka (ko haƙƙoƙin da ke da alaƙa) da ya taso a cikin waɗanda ba na asali ba, amintattun sakewa na kayan gadon al'adun jama'a, ta yadda aiki a cikin jama'a ya kasance a cikin jama'a.35 • Hana amfani da kwangiloli, matakan fasaha ko hanyoyin kuɗi don taƙaita dama da amfani da kayan jama'a. • Bayar da hanyar da za a ƙalubalanci da'awar haƙƙin mallaka ko hamayya da matsayin abu kamar yadda ya dace a cikin jama'a. • Ƙirƙirar da'awar aiki (watau haƙƙin tushen mai amfani don ƙalubalantar da'awar haƙƙin haƙƙin haƙƙin mallaka ko kuskure) da kuma hukumar gudanarwa da aka ɗora alhakin bitar irin waɗannan ƙalubalen.36

MATAKI NA 2: RAGE WA'AZIN KARE HAKKIN KYAUTA

Matsala: Haƙƙin mallaka yana dawwama ga dogon tarihi ana kulle shi a bayan bangon haƙƙin mallaka na dogon lokaci. Kuma yana ci gaba da yin tsayi. Bisa ga dokar kasa da kasa ta yanzu, kare hakkin mallaka dole ne ya kasance har zuwa akalla shekaru 50 bayan mutuwar mahalicci, amma dokoki sun bambanta sosai daga ƙasa zuwa ƙasa. A mafi yawan hukunce-hukuncen kalmar ita ce rayuwar marubucin + shekaru 70, a wasu, ya fi tsayi — rayuwa + shekaru 100 a cikin yanayin Mexico. Muna ganin yanayin damuwa na sharuɗɗan kariya koyaushe, wanda ke yin haɗarin kawar da al'adun gargajiya daga cikin jama'a.37 Ayyukan marayu da ayyukan kasuwanci ba na kasuwanci suna haifar da ƙarin ƙalubale, waɗanda ke tattare da dogon kariya.38 CHIs sau da yawa ba su ne masu haƙƙin ayyukan a cikin tarin su ba, kuma ayyuka suna da irin wannan dogon lokaci na kariya wanda bayanin game da su wanene masu haƙƙin yanzu ko yadda za a tuntuɓar su sau da yawa ba zai yiwu a samu ba. Yana ɗaukar lokaci sosai kuma yana da wahala a ayyana aiki a matsayin marayu bisa doka don cin gajiyar tsarin ayyukan marayu. Dogayen haƙƙin mallaka suna aiki don ƙara ta'azzara waɗannan al'amurra yayin da ake ci gaba da jinkirin shigar ayyukan jama'a kuma ba za a taɓa iya faɗi ba. Ci gaba da tsawaita sharuɗɗan haƙƙin mallaka a yankuna da yawa ya sa ya zama da wahala matuƙar ƙayyadaddun haƙƙin mallaka na gaskiya na aikin.39 Nazarin alakar da ke tsakanin fa'idodin tattalin arziki da ka'idojin kariya ya nuna a kai a kai cewa sharuɗɗan kariya ba su da kyau ga yawancin maganganun al'adu.43 A cikin 2016, Australian Productivity Commission ta gano cewa “iyawarsa da kuma lokacin kariyar haƙƙin mallaka a Ostiraliya ya faɗaɗa kan lokaci, galibi ba tare da tantance tushen shaida ba, kuma yanzu an karkatar da shi sosai don goyon bayan masu haƙƙin mallaka. Yayin da mafi kyawun kalmar haƙƙin mallaka guda ɗaya ke da wuyar fahimta, mai yuwuwa zai yi ƙasa da shekaru 70 bayan mutuwa.”44

Gaskiya ne! → Littattafai masu mahimmanci na al'ada ba su da yawa a cikin ƙasashe masu tsayi fiye da gajere.40 → Ayyukan marayu (ayyukan da har yanzu suke cikin haƙƙin mallaka amma waɗanda ba za a iya gano ko gano masu haƙƙinsu ba) sun samar da wani babban yanki na tarin cibiyoyin al'adu. A cikin 2012, ɗakin karatu na Burtaniya ya kiyasta cewa kashi 40% na tarin haƙƙin mallaka (ayyuka miliyan 150 gabaɗaya) sun zama marayu.41 → Haƙƙin mallaka ya haifar da baƙar fata a karni na ashirin na samun damar gado; Abubuwan gadon da aka kirkira tsakanin 1940 da 2000 ba su da wakilci a cikin ma'ajiyar da ake samu ta hanyar dijital ta Turai, ta haka za su karkata hangen nesa kan tarihinmu na baya-bayan nan.42

NASARA

Masu tsara manufofi yakamata: • Rage wa'adin kariya. Ba da kariya ta dogara da rajista (ko wasu ƙa'idodi). Hana shawarwari don tsawaita sharuɗɗan haƙƙin mallaka fiye da yadda suke a halin yanzu. • Yi sauƙi kamar yadda zai yiwu don ƙayyade ayyuka a matsayin marayu.

MATAKI NA 3: BAYANI A SHARI'A DOMIN WAJIBI AYYUKAN CIGABA DA GADO

Matsala: CHIs Ba Zasu Iya Cika Burinsu Ba Saboda Haƙƙin mallaka CHIs suna buƙatar yin sake fasalin ayyukan haƙƙin mallaka a cikin tarin su don dalilai na adanawa (misali, don magance haɗarin lalacewa). Suna kuma buƙatar yin kowane nau'in amfani don samar da ayyuka ga jama'a, gami da nunin dijital, bita kan layi da zargi, lamuni na dijital, samun dama da sake amfani da 4, 46 da sauransu.

Bugu da ƙari, tsarin rubutu da haƙar ma'adinan bayanai (TDM), wanda ke da mahimmanci ga binciken al'adun gargajiya, yana buƙatar sake fasalin rubutu ko aikin da za a haƙa don bayyana alamu, yanayi, da alaƙa a cikin rubutu ko bayanai. Ba duk hukunce-hukuncen ke ba da izinin TDM a sarari ba. Bugu da ari, mafi yawan hukunce-hukuncen ba sa ba da izinin gabatar da kayan gado a sarari akan gidan yanar gizon da ba na kasuwanci ba don jama'a masu sauraro ba tare da izini ba da kuma biya ga (wakilin) mai haƙƙin mallaka. Waɗannan amfani galibi ana iyakance su ta hanyar haƙƙin mallaka kuma, sai dai in keɓantawa ko iyakancewa (E&L), galibi ana ɗaukar ƙetare. E&Ls sun wanzu don daidaita haƙƙin masu yin halitta tare da buƙatun al'umma—sun haɗa da ra'ayoyi kamar haƙƙin mai amfani, buɗaɗɗen ka'idoji47 (watau buɗe hanyoyin zuwa keɓanta haƙƙin mallaka, kamar amfani da gaskiya da ma'amala na gaskiya) da takamaiman, keɓancewar doka. Abin takaici, galibi ba su isa ba, tauye su ko ma babu su, suna sa haƙƙin mallaka bai dace ba don dacewa da manufar CHIs. Wannan yana nufin cewa, a haƙiƙanin gaskiya, ba za a iya jin daɗin al'adun gargajiya ta hanyoyi da wuraren da aka fi samun damar buɗewa a yau: a dijital da kan layi. Kuma wannan shi ne yanayin duk da cewa CHIs' amfani da su ne sau da yawa fiye da ba kasuwanci a cikin yanayi da kuma ba su shafi al'ada amfani da ayyukan. Ba wai kawai an tauye muhimman ayyukan CHIs ta hanyar haƙƙin haƙƙin mallaka ba, amma ana hana jama'a mahimmancin amfani da gadon gado don jin daɗi har ma a cikin maganganun jama'a, kamar sharhi, faci ko parody.48

Gaskiya ne! → A wasu lokuta ma'ajiya ba sa iya yin kwafin takardun da suke riƙe da su duk da mummunar barazanar asara saboda sauyin yanayi.49 → Laburaren sau da yawa suna iya ba da damar yin amfani da kwafin dijital na aiki a kan wuraren da aka keɓe (ba a nesa ba).50 → Yawancin keɓanta haƙƙin mallaka na naƙasa na yanzu suna mayar da hankali ne kawai akan nakasar gani (zuwa ban da sauran nakasa ta jiki, fahimi, ko nakasa). Don haka kawai suna ba da damar samun dama ga nakasassu na bugawa (watau littattafai da mawallafi / manyan bugu / nau'ikan sauti) maimakon faffadan batutuwan kere-kere.51 → An taƙaita bayani a cikin iyakokin jihohi lokacin da keɓancewar haƙƙin mallaka ya tsaya a kan iyaka.52 → Matakan kariya na fasaha (TPMs) 53 waɗanda ba za a iya bi da su ta hanyar doka ba, ana amfani da su akan ayyukan adabi da aka rarraba ta hanyar lantarki, kamar littattafan e-littattafai, 54 kuma suna sa ba zai yiwu ba ga daidaikun mutane su yi amfani da waɗannan ayyukan ta hanyoyin da ba za su kasance masu cin zarafi ba. Wannan yana hana binciken al'adun gargajiya wanda ya dogara sosai ga TDM.55

MATAKI NA UKU: BAYANI A SHARI'A YARDA WASU WAJIBI AYYUKAN CIGABA DA GADO

NASARA

Dole ne a kyale cibiyoyi su gudanar da dukkan ayyukan da suka wajaba don cim ma muradun jama'a da kuma hidimar masu amfani da su. Ya kamata masu tsara manufofi: • Ba da damar cibiyoyin kayan tarihi na al'adu su sake haifuwa da samar da gatan da ke da haƙƙin mallaka don amfani da sake amfani da jama'a don abubuwan da ba na kasuwanci ba. • Ba da izinin duk ayyukan da suka wajaba waɗanda ke ba masu amfani damar yin amfani da kayan gado don abubuwan da ba na kasuwanci ba da kuma amfani da kayan gado don shiga cikin maganganun jama'a. Waɗannan ayyukan suna buƙatar a kiyaye su da kyau ta amfani da bayyanannen, harshe mara ma'ana a cikin sigar E&Ls (gami da haƙƙin

mai amfani, buɗaɗɗen ƙa'idodi kamar amfani da gaskiya, ko keɓancewar doka) waɗanda suka dace da shekarun dijital da tabbataccen gaba. Irin waɗannan keɓancewa da iyakoki dole ne su zama tilas, ba batun biyan kuɗi (misali, ba za a aiwatar da su a cikin samfuri mai kama da lasisin dole ba), kuma an kiyaye su daga ƙetare kwangila.56 A kan wannan batu na ƙarshe, yawancin CHIs suna kulle cikin yarjejeniyoyin lasisi waɗanda ke cire ikon su na dogaro da keɓanta don gudanar da ayyukansu na yau da kullun, kamar keɓancewar da aka ba da garanti a ƙarƙashin yarjejeniyar WIPO Marrakesh.57 Babu wani sharuɗɗan kwangila da zai rage ko soke amfani da aka yarda a ƙarƙashin keɓantacce.58 Takamaiman ayyukan da CHIs ke buƙatar aiwatarwa aƙalla a yayin gudanar da ayyukansu kuma waɗanda ke buƙatar ba da izini a ƙarƙashin dokar haƙƙin mallaka an yi cikakken bayani a ƙasa. Don tabbatar da cewa irin waɗannan ayyukan na iya faruwa bisa doka, cikakke kuma mara ƙayyadaddun aikace-aikacen E&L dole ne a sami garanti a cikin dokokin haƙƙin mallaka.

Mafi ƙanƙancin buƙatun keɓancewa da iyakancewa ga Cibiyoyin Al'adun Al'adu da Masu Amfani da su Cibiyoyin al'adun gargajiya dole ne aƙalla su sami: 1. Yi sake haifuwa na ayyuka a cikin tarin su: CHIs dole ne su sami damar yin sake fasalin ayyukan a cikin tarin su: • don dalilai na adanawa, • don biyan buƙatun masu amfani da nakasa, • don ba da damar haƙar ma'adinan rubutu da bayanai na tarin su. 2. Samar da ayyuka ga jama'a: Tsayar da gado yana da ma'ana lokacin da jama'a za su iya shiga, raba su da jin daɗin su. Don haka, CHIs dole ne su iya: • nunawa da baje kolin tarin su, gami da na dijital, • ba da rancen e-ayyukan dijital da ayyukan dijital, • ba da dama da ba da damar yin amfani da ayyukan (digitized) don dalilai na ilimi ko na sirri, kamar bincike da bincike na sirri, • ba da damar samun ayyukan. don dalilan da ba na kasuwanci ba lokacin da kasuwancin su ya ƙare a zahiri.

3. Ba da damar sake amfani da ayyukan: Baya ga samun damar ayyukan, masu amfani da CHIs' dole ne su iya: • samun dama da amfani da ayyuka don dalilai na ilimi ko na sirri, kamar bincike da binciken sirri, • yin rubutu da hakar bayanai, • motsa jiki 'yanci na panorama. • Yi amfani da ayyuka a cikin mahallin maganganun jama'a da rahoton labarai. • Yi amfani da ayyuka don dalilai na zance, zargi, bita da fa'ida, caricature, da pastiche. Yi amfani mai canza canji, kamar remixes da sauran nau'ikan abun ciki na mai amfani.

Ingantacciyar Aiki da Buƙatun Aikace-aikace Duk waɗannan keɓancewa ko iyakoki dole ne su kasance: • a maimakon bayyanannen, mai sauƙin fahimta, daidaituwa da daidaiton manufa. • Tabbatacciyar doka da rashin tabbas. • Sauƙi don jin daɗi da fa'ida. • Mai sassauƙa—don magance abubuwan da ba a zata ba ko a gefe. • Daidaita don shekarun dijital da hujja na gaba-misali. ya kamata su rufe ayyukan da aka haifa-dijital da na dijital da lissafin ci gaban fasaha. • Wajibi - kafa muhimmin sashi na dokar haƙƙin mallaka, watau, ba a matsayin wani ɓangare na shawarwari ko yarjejeniyar lasisi ba. • Ba kwangila ba za a iya yafewa ko kwangilar ta soke shi ba. Ba batun biyan kuɗi ba - babu buƙatun lasisi na doka ko na tilas. • Abubuwan da suka dace da daidaitawa a cikin yankuna - don ba da izinin amfani da iyakokin iyaka da haɗin gwiwar ƙasashen duniya. • Rashin kula da haƙƙin dijital da matakan kariya na fasaha.

MATAKI NA 4: GARKUWAN GADO GA AL'ADA DAGA CIGABA.

Matsala: Haƙƙin mallaka yana sanya nauyin Haƙƙin Haƙƙin Haƙƙin Haƙƙin mallaka a kan cibiyoyi Don cika ayyukansu na adana kayan tarihi da sauƙaƙe rabawa, shiga da haɗin gwiwa tare da kayan tarihi, CHIs dole ne su yi wasu amfani da ayyukan kare haƙƙin mallaka a cikin tarin su. Saboda ana iya ba da izinin waɗannan amfani ko ba za a iya ba su ƙarƙashin ƙaƙƙarfan dokokin haƙƙin mallaka ba, cibiyoyi suna aiki ƙarƙashin haɗari (na gaske ko tsinkaye) na keta haƙƙin mallaka. Takunkumi da diyya na keta haƙƙin mallaka na iya yin girma, kuma a wasu hukunce-hukuncen, ana iya fuskantar cibiyoyi da wasiƙun buƙatu ba tare da an kai ƙarar kotu ba, inda za a iya ƙalubalantarsa bisa doka. Sakamakon haka, cibiyoyi sun ɗauki hanyar ƙin haɗari, da damuwa ta haƙƙin mallaka ta jawo su, kuma su guji yin ayyukan da suka dace don cika aikinsu.

Gaskiya ne! → Ga masu karatu da yawa, ana kallon haƙƙin mallaka a matsayin yanki mai "wuya" wanda zai iya ƙarfafa halayen gujewa kuma yana iya haifar da damuwa. 59 → Shari'o'in kotu da yawa a cikin Netherlands sun iyakance jin daɗin al'adun Dutch na ƙarni na 20. Laifukan uku musamman sun haifar da babban rigakafin kawar da ƙididdigan al'adun gargajiya daga dandamali na kan layi na jama'a.60 Wannan ya yi tasiri mai sanyi a kan cibiyoyi kuma ya hana samun kayan gado na kan layi. Har ila yau, ya haifar da kashe albarkatu masu mahimmanci don gano masu ƙirƙira da masu haƙƙin don amfani da ayyukansu, ko da inda rabon CHIs bai haifar da lahani ga cin gajiyar waɗannan ayyukan na yau da kullun ba.

NASARA

Kyakkyawar imani da cibiyoyi ke amfani da su yayin aiwatar da ayyukansu na sha'awar jama'a (musamman amfani da abubuwan da ba na kasuwanci ba) bai kamata a yi la'akari da keta haƙƙin mallaka ba, kuma bai kamata cibiyoyi su kasance masu alhakin ba. Masu tsara manufofi ya kamata: • Cire alhaki ga cibiyoyin al'adun gargajiya da ke aiki da aminci. • Inda ba za a iya cire abin alhaki ba, iyakance takunkumi da magunguna ga cibiyoyin al'adun gargajiya. • Ƙirƙirar tashar jiragen ruwa mai aminci don ba da damar cibiyoyin al'adun gargajiya su gudanar da ayyukansu bisa doka, gami da samar da tarawa a kan layi ga masu amfani da su, da ƙarfafa su su bi sanarwa da sauke hanyoyin da aka yi na cin zarafi da masu hakki suka kawo.61

AIKI NA 5: TABBATAR DARAJA, DAIDAI, DA HADUWA

Matsala: Samun Dama da Aharinga cikin Al'adun Al'adu Ba Koyaushe Ba Daidai bane, Girmamawa ko Haɗuwa A wasu lokuta, cika aikin CHIs' don samar da tarin zai iya zama mai rikitarwa lokacin da tarin ya ƙunshi (1) kayan gado na al'ummomin da aka ware waɗanda aka ware daga samun dama da shiga cikin raba abubuwan al'adun gargajiya; (2) kayan da aka samu a yanayin mulkin mallaka (3) kayan ƴan asalin ƙasar;62 (4) kayan da aka yi la'akari da su na sirri (musamman a lokuta masu amfani don gane fuska); (5) kayan da ke wakiltar yara ko wasu ƙungiyoyi masu rauni; tsakanin sauran m kayan.63 A irin waɗannan lokuta, ƙayyadaddun batutuwa masu rikitarwa da sarƙaƙƙiya sun taso fiye da abin da ke cikin haƙƙin mallaka vs. tsarin yanki na jama'a, wanda ke ba da tabbacin alhaki, daidaitacce, daidaitaccen tsari da mutuntawa, da buƙatar kawo girmamawa, daidaito, da haɗawa cikin "buɗewa". al'ada" daidaito. A Creative Commons, wannan ya zama wani ɓangare na hangen nesanmu don

ingantacciyar musayar al'adun gargajiya. Tattaunawa, amana da fahimta wasu ne daga cikin muhimman abubuwan da za a cimma wannan hangen nesa na raba wanda ya fi dacewa da da'a da daidaito.64

Gaskiya ne! → A cikin 1992, waƙar "Sweet Lullaby" (a cikin kundin kiɗan duniya Deep Forest) ta sake haɗa wani faifan bidiyo na tsohuwar lullaby da wata mata mai suna Afunakwa ta rera, wanda masanin ilimin kimiya na ƙasar Switzerland Hugo Zemp ya rubuta a cikin 1970 a Solomon Islands. An ɗauko shi daga ɗakin ajiyar kiɗa na gargajiya na UNESCO, fasalin da aka sake haɗawa ya haifar da riba mai yawa, amma an ƙirƙira shi ba tare da izini ba, ko biyan diyya, ko kuma amincewar Afunakwa ko al'ummarta.65

NASARA

Masu tsara manufofi ya kamata su ƙarfafa cibiyoyi su ɗauki tsarin da'a da adalci don raba abubuwan tattarawa da haɓaka manufofin da ke kira ga cibiyoyi su: • la'akari, ban da matsayin jama'a na wani yanki na al'adu, ƙarin hani na doka, ɗa'a ko kwangila wanda zai iya sarrafa yanayin samun dama, amfani da sake amfani; • yarda cewa iyawa da sake amfani da ƙuntatawa na iya zama barata saboda dalilai na ɗabi'a; • Haɗa tare da haɗin gwiwa tare da al'ummomin tushen don ƙayyade tsarin ƙididdigewa da samar da tarin; da • sadarwa da ilmantar da masu amfani da su a fili game da sharuɗɗan amfani da sake amfani da su, da duk wani sharuɗɗan da aka kafa don yin rabawa cikin daidaito.

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